

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

TYCO FIRE PRODUCTS LP,

Plaintiff,

v.

AIU INSURANCE COMPANY, *et al.*

Defendants.

Civil Action No. 2:23-cv-02384-RMG

Hon. Richard M. Gergel

**PLAINTIFF’S NOTICE OF MOTION FOR PARTIAL SUMMARY JUDGMENT
AGAINST AIG AND TIG REGARDING CERTAIN “POLLUTION EXCLUSIONS”**

Pursuant to Fed. R. Civ. P. 56, Tyco Fire Products LP (“Tyco”) respectfully moves for partial summary judgment against Defendants National Union Fire Insurance Company of Pittsburgh, Pa., American Home Assurance Company, and New Hampshire Insurance Company (collectively, “AIG”) and TIG Insurance Company (“TIG”). Tyco requests that the Court find that the product liability and common law causes of action alleging bodily injury and/or property damage that have been asserted against Tyco in the thousands of product liability claims relating to the use of Aqueous Film-Forming Foam (the “AFFF Claims”) are not excluded from coverage by the pollution exclusions excerpted in Exhibits 1-5 of the Declaration of Ryan M. Buschell submitted with this Motion. The bases for relief are set forth in the accompanying Memorandum of Law.

Dated: March 18, 2024

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